



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

400 Seventh St., S.W.  
Washington, D.C. 20590

MAR 17 2003

Mr. Daryl Hancock  
Environmental Scientist/Co-Manager  
RMEC Rocky Mountain Environmental Consultants, L.L.C.  
2982 East Louise Avenue  
Salt Lake City, Utah 84109

Ref. No. 02-0308

Dear Mr. Hancock:

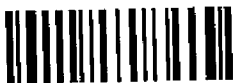
This responds to your November 21, 2002 letter requesting clarification on the use of the exception in § 173.307(a)(4)(v) and the apparent omission of this section in Column 8A of the Hazardous Materials Table (HMT) of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask for confirmation that the use of the exception in §173.307(a)(4)(v) is authorized for use in shipments of "Refrigerating machines, containing flammable, non-toxic, liquefied gas, UN 3358" even though this section reference does not appear in Column 8A of the HMT for this shipping description.

You are correct in your understanding that the use of the exception in § 173.307(a)(4)(v) is authorized for shipments of new (unused) refrigerating machines, and/or components thereof, containing 100 grams or less of a flammable, non-toxic liquefied gas, even though that section reference does not appear in Column 8A of the HMT for this shipping description.

I hope this answers your inquiry.

Sincerely,

Delmer F. Billings  
Chief, Standards Development  
Office of Hazardous Materials Standards



020308

173.307



Boothe  
§ 173.307 (a)(4)(v)  
Exceptions  
02-0308

RMEC # PJ-1044

November 21, 2002

Mr. Edward T. Mazzullo  
Director  
Office of Hazardous Materials Standards  
United States Department of Transportation  
Research and Special Programs Administration (DHM-10)  
400 7<sup>th</sup> Street S.W.  
Washington, DC 20590

Transmitted Via Facsimile: 202-366-0656

Subject: **Request for Letter of Interpretation**  
Allowance of Exception Under 49 CFR Part 173.307 (a) (4) (v) For  
UN3358 "Refrigerating machines, containing flammable, non-toxic,  
liquefied gas"

Re: 49 CFR Part 172.101 Hazardous Materials Table  
Column 8A (Packaging Exceptions)

Dear Mr. Mazzullo:

On behalf of our client, Rocky Mountain Environmental Consultants, L.L.C. (RMEC) is hereby providing this request for a Letter of Interpretation regarding an apparent omission in the packaging exceptions (Column 8A) of the Hazardous Materials Table for shipments of "Refrigerating machines, containing flammable, non-toxic, liquefied gas" classified under UN3358 identification.

Based on conversations with USDOT representatives through the Hazardous Materials Information Line, RMEC understands that shipments of new (unused) refrigerating machines, and/or components thereof, containing less than 100 grams of a flammable, non-toxic liquefied gas are allowed an exception from Hazardous Material Regulations (HMR; 49 CFR parts 171-180) in accordance with 49 CFR part 173.307 (a) (4) (v). In these conversations, RMEC has indicated, and USDOT representatives have affirmed, that while the exception under §173.307 for these shipments is allowable, it appears to have been omitted from Column 8A of the Hazardous Materials Table for the shipping description: "Refrigerating machines, containing flammable, non-toxic, liquefied gas".

Our client and their customers are committed to complying with USDOT regulations, and, therefore, it is critical that we receive written confirmation in this matter. Your

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2982 EAST LOUISE AVENUE, SALT LAKE CITY, UTAH 84109  
TEL: 801-467-3661 FAX: 801-583-1463

Mr. Mazzullo  
USDOT-RSPA  
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RMEC #PJ-1044  
11/21/2002

prompt response to this request is greatly appreciated. If you have any questions concerning this request please contact me at 801-467-3661, or on my cell phone at 801-706-7632.

Sincerely,

Rocky Mountain Environmental Consultants, L.L.C.



Daryl Hancock  
Environmental Scientist/Co-Manager

Cc: Richard Chabot, Dangerous Goods Technical Expert/IATA